

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

WENDY WELLIN, <i>as the Special</i>)	
<i>Administrator of the Estate of Keith S. Wellin</i>)	
<i>and as Trustee of the Keith S. Wellin Florida</i>)	
<i>Revocable Living Trust u/a/d December 11,</i>)	
<i>2001,</i>)	
)	No. 2:13-cv-1831-DCN
Plaintiff,)	
)	
vs.)	
)	
PETER J. WELLIN, <i>et. al.,</i>)	
)	
Defendants.)	

LARRY S. McDEVITT, <i>as Trustee of the</i>)	
<i>Wellin Family 2009 Irrevocable Trust,</i>)	
)	No. 2:13-cv-3595-DCN
Plaintiff,)	
)	
vs.)	
)	
PETER J. WELLIN, <i>et. al.,</i>)	
)	
Defendants.)	

PETER J. WELLIN, <i>et. al.,</i>)	
)	No. 2:14-cv-4067-DCN
Plaintiffs,)	
)	
vs.)	
)	

WENDY WELLIN, <i>individually and as Trustee</i>)	NOTICE OF INTENT TO
<i>of the Keith S. Wellin Florida Revocable Living</i>)	APPOINT SPECIAL MASTER
<i>Trust u/a/d December 11, 2011,</i>)	
)	
Defendant.)	

The court is considering the appointment of a special master pursuant to Federal Rule of Civil Procedure 53(a)(1)(C). Specifically, the special master would be appointed to handle all pre-trial non-dispositive matters in the above-captioned cases, including

motions currently pending before Judge David C. Norton. Before appointing a special master, the court must give notice to the parties and an opportunity to be heard on the questions of whether a special master should be appointed and the terms of such appointment. Fed. R. Civ. P. 53(b)(1). Accordingly, the court will address the appointment of a special master at the hearing scheduled for **Wednesday, February 4, 2015 at 10:00 a.m.**

Pursuant to Rule 53(a)(1)(C), a district court may appoint a special master to address pretrial matters that cannot be effectively and timely addressed by an available district judge or magistrate judge of the district. Fed. R. Civ. P. 53(a)(1)(C). Further, beyond the provisions of Rule 53, district courts have the inherent power to appoint a special master for the administration of justice “when deemed by it essential.” Trull v. Dayco Products, LLC, 178 F. App’x 247, 251 (4th Cir. 2006) (citing United States v. Connecticut, 931 F. Supp. 974, 984 (D. Conn. 1996)). At the status conference, the court and the parties will discuss the duties of the special master, the mandatory requirements set forth in Rule 53(b)(2) and the terms of the appointment. Although willing to entertain suggestions, the court is strongly inclined to recommend William L. Howard to serve as special master. The parties shall confer concerning the contents of the appointment order¹ and shall submit a joint report to chambers via email no later than **Tuesday, February 3, 2015 at 5:00 p.m.**

¹ A draft order appointing a special master is attached hereto as Exhibit A.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'D. Norton', written over a horizontal line.

DAVID C. NORTON
UNITED STATES DISTRICT JUDGE

January 28, 2015
Charleston, South Carolina